



Board of Adjustment Case Report

City of Raleigh
Planning & Development Department
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2475
www.raleighnc.gov

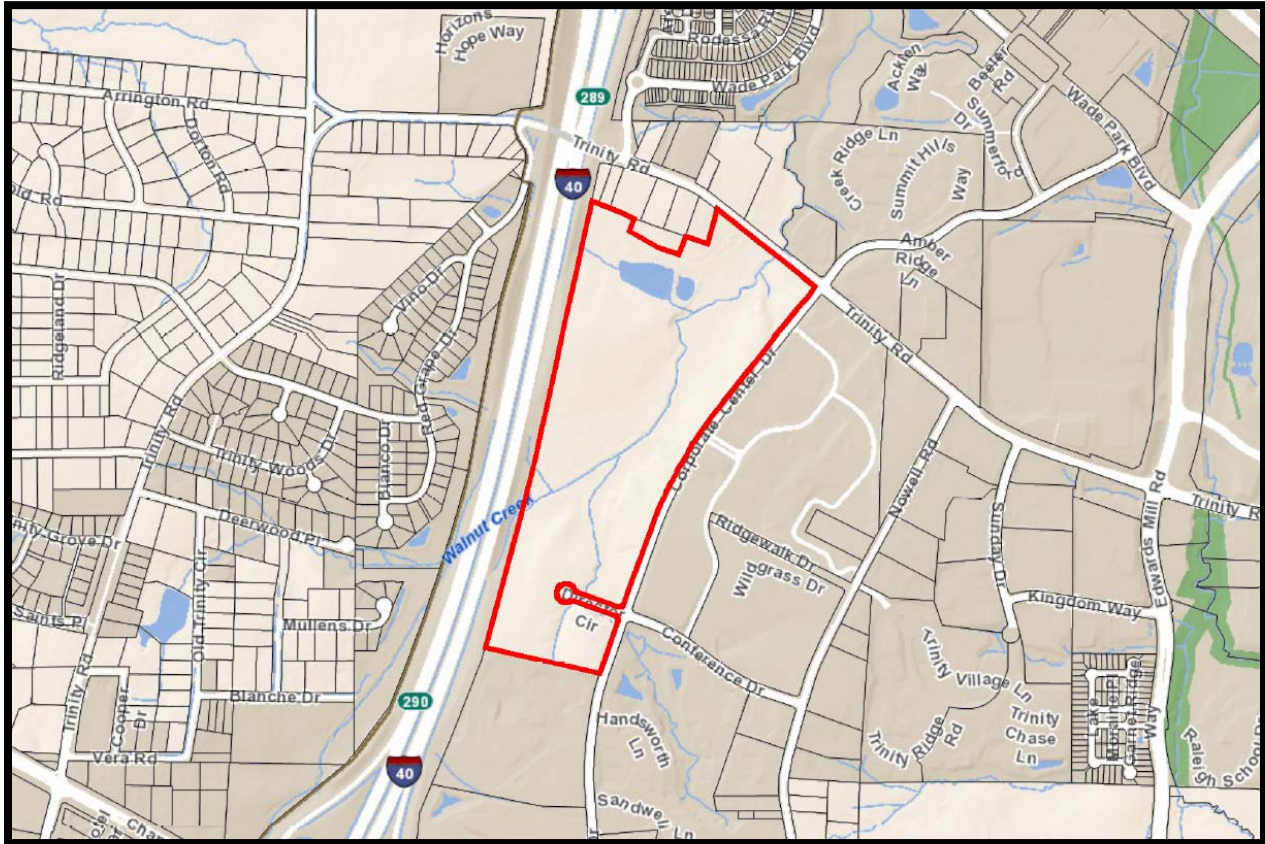
Case File: A-67-17

Property Address: 1021 Corporate Center Drive

Property Owner: AIS Forestry and Farming, LLC

Project Contact: Michael Birch

Nature of Case: Request for a Special Use Permit for an Outdoor Sports and Entertainment facility in excess of 250 seats pursuant to Sections 6.4.5.C. and 10.2.9. of the Unified Development Ordinance for a portion of a 65.92 acre parcel zoned Office Park -3-Parkway and located at 1021 Corporate Center Drive.



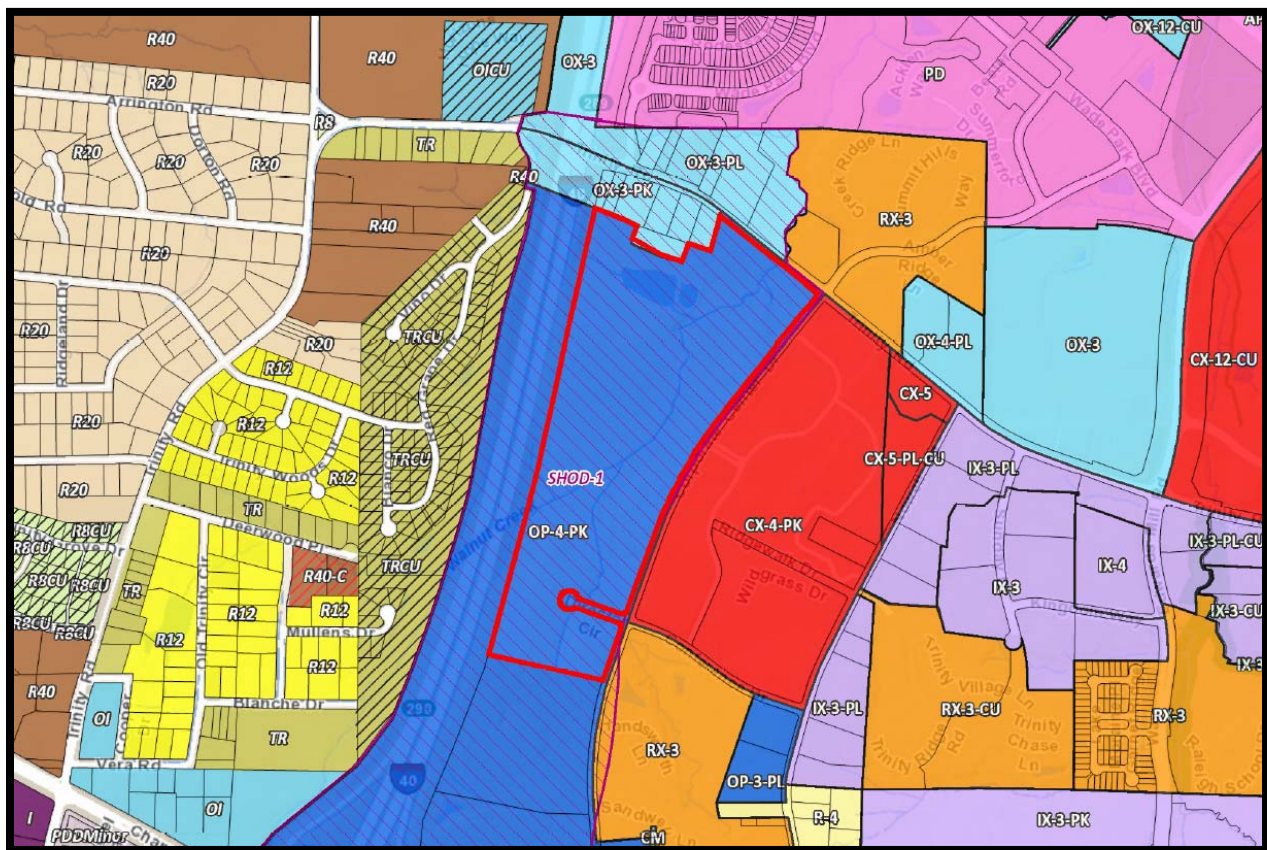
1021 Corporate Center Drive – Location Map

**ADDITIONAL
NOTES:** None

**PREVIOUS
VARIANCES:** None

To BOA: 5-8-17

Staff Coordinator: Eric S. Hodge, AICP



Zoning District: Office Park-3-Parkway

1021 Corporate Center Drive – Zoning Map

SHOWINGS: In accordance with UDO §10.2.9 Special Use Permit, before a Special Use Permit request is granted, the Board of Adjustment shall show that all of the following are met:

1. The proposed use complies with all applicable provisions of this UDO unless otherwise expressly modified in accordance with this UDO;

2. The proposed use is allowed as a special use in the respective zoning district (see Chapter 6. Use Regulations);
3. The proposed use complies with any specific use standard listed in Chapter 6. Use Regulations without the granting of any variance to the specific use standard;
4. The proposed use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics;
5. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset or the special use is denied;
6. Access with respect to pedestrian, bicycle and automotive safety, traffic flow and emergency service is adequate;
7. Signage is suitable and appropriate; and
8. Any appropriate dedications of streets and utilities to the public will be made prior to the issuance of a building permit.

Sec. 6.4.5.C. Outdoor Sports or Entertainment Facility

Defined

A predominantly outdoor facility, including any associated structures, for playing sports and conducting entertainment, including but not limited to, sports fields with or without seating, stadiums, track and field facilities and amphitheaters.

Use Standards

- a. The facility and activities requested to be conducted will not have a substantial adverse impact on surrounding properties; including without limitation, stormwater, dust, smoke or vibration.
- b. The practical limits of public facilities and services such as stormwater, water and sewer lines, streets, fire, public safety, trash collection and recyclable material are not exceeded.
- c. The traffic generated to and from the site will not create unsafe or inefficient parking, loading, vehicular and pedestrian circulation patterns with consideration, among other things, to: the physical character of roads, the classification of roads, accident experience near the site, traffic volumes existing and projected from approved site plans and subdivisions, interference with any other driveway, and response time of nearby emergency services such as fire and hospital.
- d. Buffers must be provided that lessen the perceived height and bulk of proposed structures as seen from nearby residential neighborhoods.
- e. The nearby properties must be protected from sound amplification and lighting.
- f. The facility will not be injurious to property or improvements in the affected area.
- g. The site is not located in a Primary Watershed Protection Area.

Special Use Permit Application



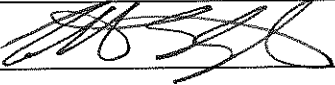
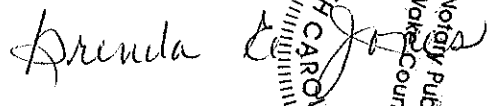
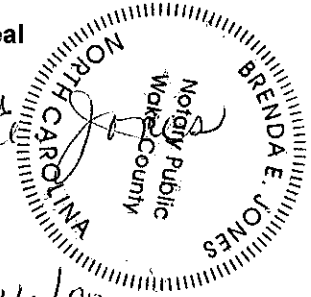
RALEIGH
DEPARTMENT OF
CITY PLANNING



For Submittal or Data

Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

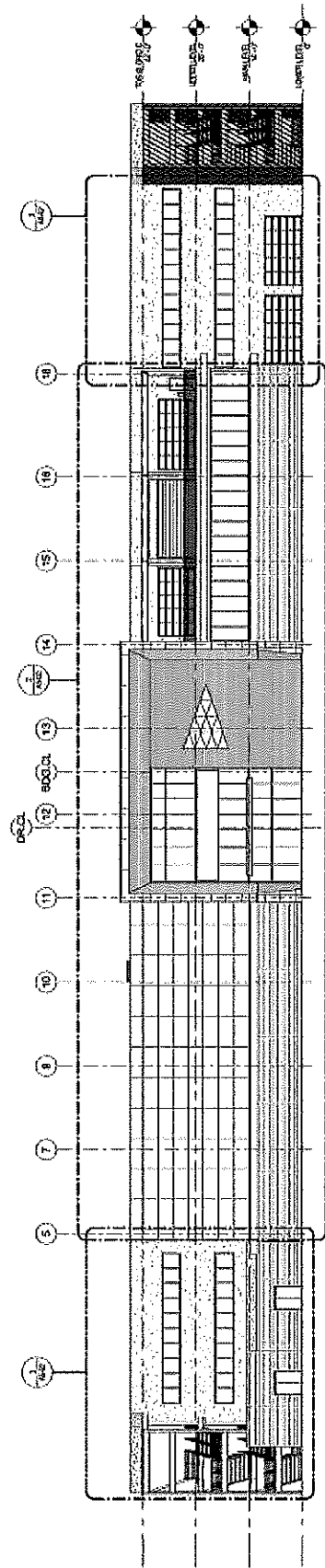
Nature of request (Submit addendum on separate sheet, if more space is needed.) Petitioner requests a special use permit for an Outdoor Sports and Entertainment facility defined in UDO section 6.4.5.C. for property zoned OP-4-PK with SHOD-1.	OFFICE USE ONLY
	Transaction Number A-67-17
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous special use permit request, provide the case number.	

GENERAL INFORMATION		
Property Address 1021 Corporate Center Drive		Date April 7, 2017
Property PIN 0774-76-4860	Current Zoning OP-3-PK	
Nearest Intersection Corporate Center Drive and Trinity Road	Property size (in acres) 65.92 acres * Addition of	
Property Owner AIS Forestry & Farming, LLC	Phone	Fax
Owner's Mailing Address 319 Chapanoke Rd, Suite 102, Raleigh, NC 27603		
Email		
Project Contact Person Michael Birch, Morningstar Law Group	Phone 919.590.0388	Fax
Contact's Mailing Address 421 Fayetteville Street, Suite 530, Raleigh, NC 27601		
Email mbirch@morningstarlawgroup.com		
Property Owner Signature 		
Notary Sworn and subscribed before me this <u>9th</u> day of <u>March</u> , 20 <u>17</u>	Notary Signature and Seal   Expires: 6/16/20	

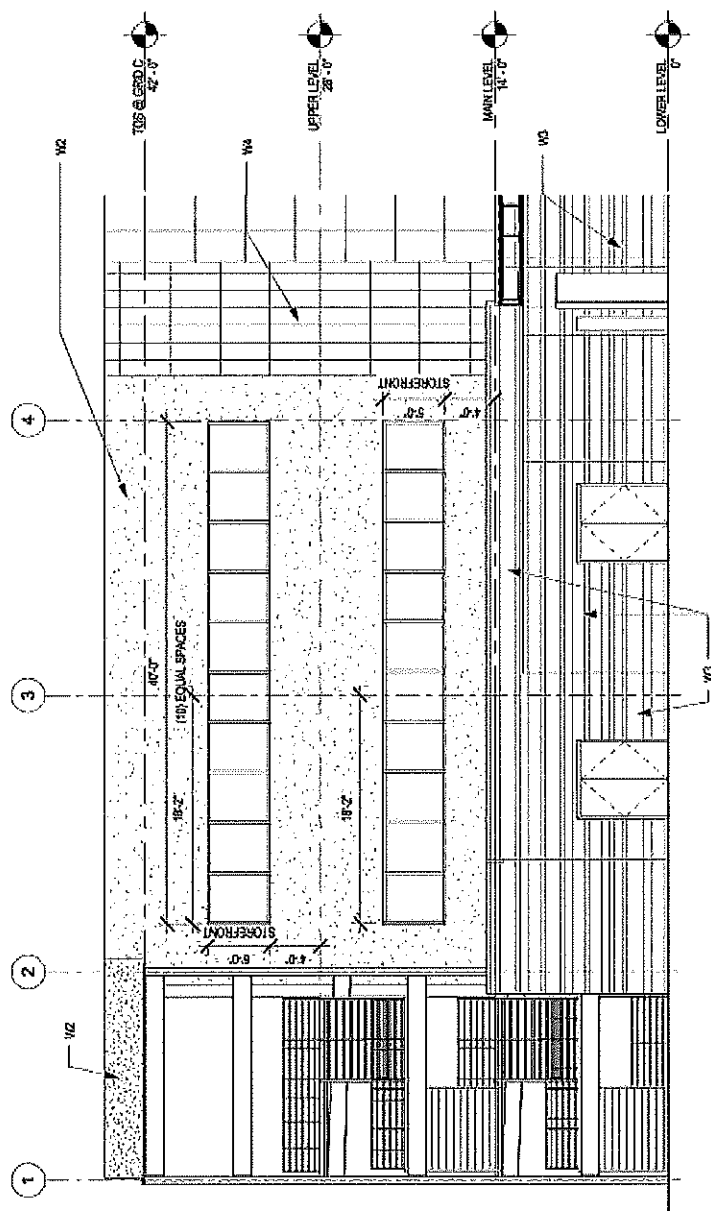
It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A Special Use Permit Application will not be considered complete until all required submittal components listed on the Special Use Permit Checklist have been received and approved.

Responses to Special Use Permit Standards

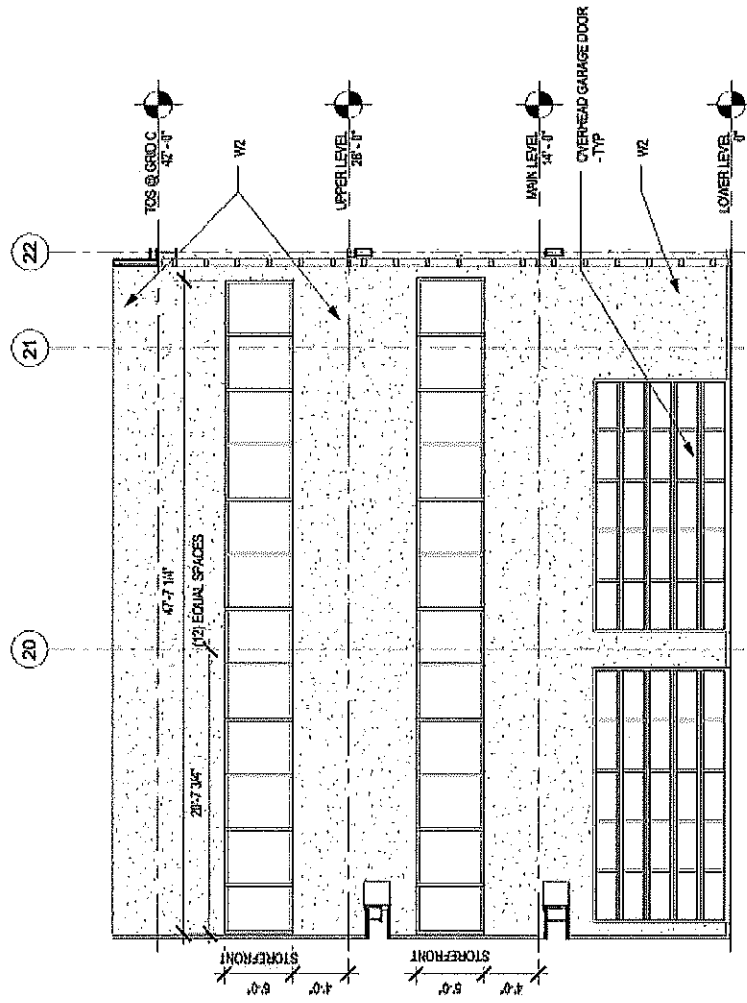
1. As proposed, the use complies with all applicable provisions of the UDO except as expressly modified in accordance with the UDO.
2. The property is zoned OP, and the outdoor sports and entertainment facility use is permitted as a special use in the OP district.
3. Based on the application and the testimony and evidence to be introduced at the hearing, the proposed use complies with the specific use standards listed in UDO section 6.4.5.C.2., including:
 - a. The use will not have a substantial adverse impact on surrounding properties;
 - b. The practical limits of public facilities and services are not exceeded;
 - c. The traffic generated by the proposed use will not create unsafe or inefficient parking, loading, vehicular and pedestrian circulation patterns;
 - d. Buffers are provided that lessen the perceived height and bulk of the proposed structures;
 - e. The nearby properties are protected from sound and lighting associated with the proposed use;
 - f. The use will not be injurious to property or improvements in the area; and
 - g. The property is not located in a Primary Watershed Protection Area.
4. As demonstrated by the attached site plan and elevations, and based on the testimony and evidence to be introduced at the hearing, the proposed use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.
5. Based on the site plan and the testimony and evidence to be introduced at the hearing, any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated.
6. Based on the site plan and the testimony and evidence to be introduced at the hearing, pedestrian, bicycle and automotive safety is ensured, and traffic flow and emergency service access is adequate.
7. Signage associated with the proposed use is suitable and appropriate.
8. Appropriate dedications of streets and utilities to the public will be made prior to the issuance of a building permit.



FRONTELEVATION

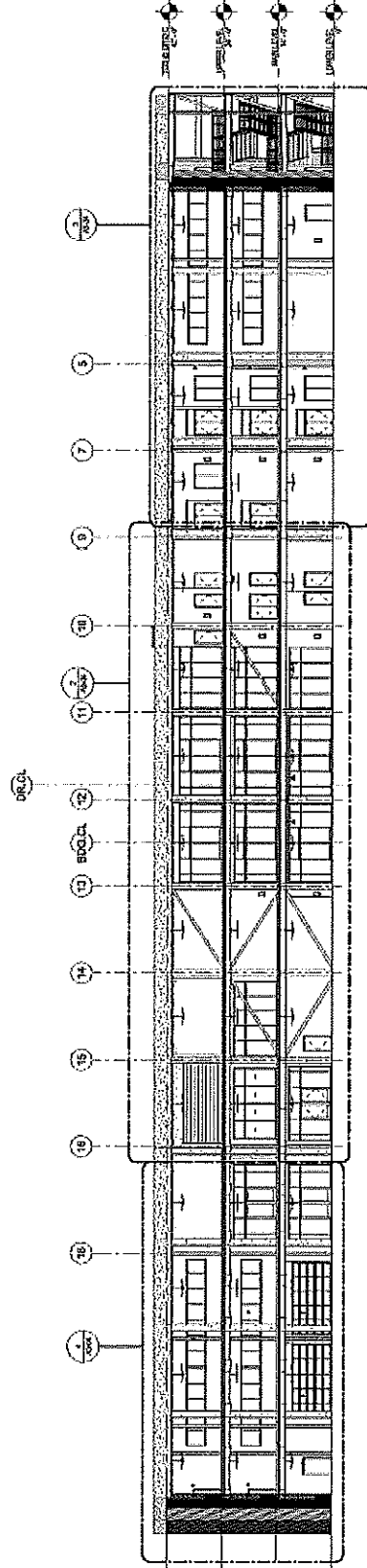


SIDE ELEVATION.



SIDE ELEVATION

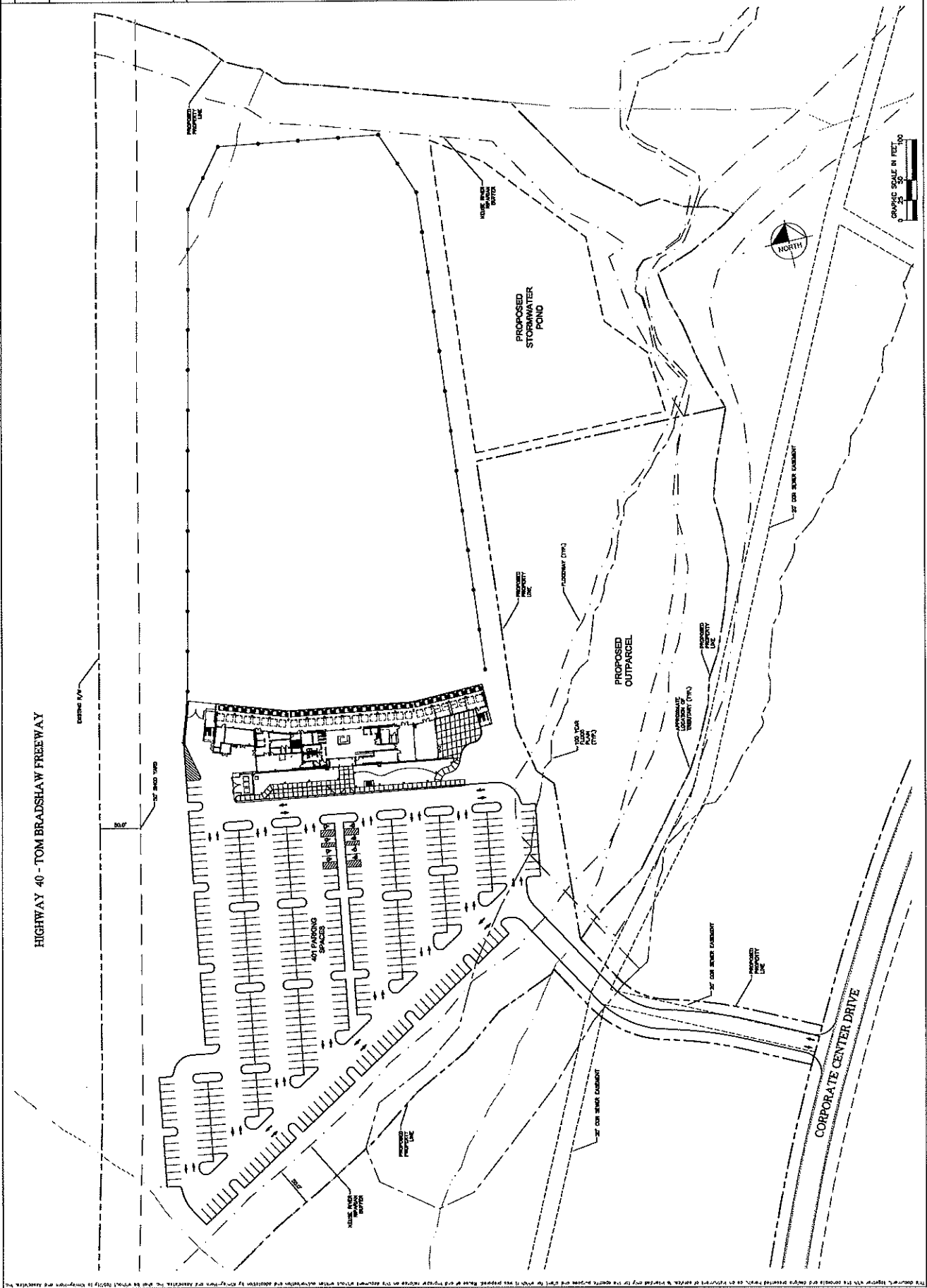
REAR ELEVATION



SITE PLAN

DATE	04/07/2017
SCALE	SY 3000
REMOVED BY	AD KINOSHI
AD MEYER	03/

KINLEY HORN
© 2017 KINLEY-HORN AND ASSOCIATES, INC.
421 FAIRVIEW STREET, SUITE 600, RALEIGH, NC 27601
PHONE: 919-835-1454
WWW.KINLEY-HORN.COM

[illegible]

0774764860
AIS FORESTRY & FARMING LLC
319 CHAPANOKE RD STE 102
RALEIGH NC 27603-3433

0774647662
NC ADMINISTRATIVE OFFICE OF THE
COURTS THE
901 CORPORATE CENTER DR
RALEIGH NC 27607-5045

0774747580
FUND ASBURY VILLAGE LLC
PO BOX 27329
HOUSTON TX 77227-7329

0774776775
ENVISION HOMES, LLC
541 VISTA DEL LAGO LN
WAKE FOREST NC 27587-5343

0774777918
ENVISION HOMES LLC
541 VISTA DEL LAGO LN
WAKE FOREST NC 27587-5343

0774778943
ENVISION HOMES, LLC
541 VISTA DEL LAGO LN
WAKE FOREST NC 27587-5343

0774779876
CUTLIP, JEFFREY L
6412 GODFREY DR
RALEIGH NC 27612-6737

0774783037
COLLINS, FRANCES CAROL DELLINGER
DELLINGER, KIRK L
PO BOX 446
CARY NC 27512-0446

0774783094
BELL, JONATHAN BRODNAX BELL,
WILLIAM CAMERON
9585 JOEY DR
ELLCOTT CITY MD 21042-2427

0774785065
HICKS, KENNETH LEROY
609 STACY ST
RALEIGH NC 27607-4035

0774864380
LHC15 RALEIGH NC LLC
CONSOLIDATED TOMOKA LAND CO
1530 CORNERSTONE BLVD
DAYTONA BEACH FL 32117-7128

0774876873
TRINITY RIDGE LLC
PO BOX 17022
RALEIGH NC 27619-7022

0774882230
SELIGSON, BIRDENA HEIRS MARTIN A
SELIGSON CHARITAB...
C/O MARTIN SELIGSON
3305 DARIEN DR
RALEIGH NC 27607-6771

0774884073
TRINITY WOODS LLC
900 N MICHIGAN AVE
CHICAGO IL 60611-1542

0774973532
THE PARKE AT TRINITY LLC
AMERICAN LANDMARK LL
11911 US HWY I STE 204
NORTH PALM BEACH FL 33408